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8100 FOSTER FAMILY HOMES

- A. It is a legislative statement of purpose that the health, safety, and well-being of children and developmentally disabled persons receiving care away from their own homes are paramount over the right of any person to provide care.

[RCW 74.15.010](#)

- B. Children's Administration is prohibited from denying to any person the opportunity to become a foster or adoptive parent, on the basis of the race, color, or national origin of the foster or adoptive parent, or the child, involved.

42 USC 671a

8105 All Licensees

A. Probationary License

1. A probationary license is a license issued as a disciplinary measure to a licensee that has previously been issued a full license but is out of compliance with licensing standards. The department may issue, for up to six months with extension for an additional six months at the department's discretion, a probationary license to a licensee that is temporarily unable to comply with a rule or has been the subject of multiple complaints or concerns about non-compliance if:

- a. The non-compliance does not present an immediate threat to the health and well-being of the children but would be likely to do so if allowed to continue.
- b. The licensee has a plan approved by the department to correct the area of non-compliance within the probationary period.

[RCW 74.15.020](#); [RCW 74.15.125](#)

2. The department shall immediately terminate the probationary license, if at any time the non-compliance for which the probationary license was issued presents an immediate threat to the health or wellbeing of the children.

[RCW 74.15.125](#)

3. At the expiration of the probationary license, the department shall reinstate the original license for the remainder of its term, issue a new license, or revoke the original license.

[RCW 74.15.125](#)

- B. A license issued under RCW 74.15 is not transferable and applies only to the licensee and location stated in the application. For a licensed foster family having an acceptable history of child care, the license may remain in effect for two weeks after a move, except that this will apply only if the family remains intact.

[RCW 74.15.100](#)

C. Initial License

1. The department, at its discretion, may issue an initial license, formerly a provisional license, instead of a full license to an agency or facility (i. e., a group home or child placing agency) for a period not to exceed six months, renewable for a period not to exceed two years, to allow such agency reasonable time to become eligible for full license.
2. An initial license may be granted to a foster family home only if the following three conditions are met:
 - a. The license is limited so that the licensee is authorized to provide care only to a specific child or specific children; and
 - b. The department has determined that the licensee has a relationship with the child, and the child is comfortable with the licensee, or that it would otherwise be in the child's best interest to remain or be placed in the licensee's home; and
 - c. The initial license is issued for a period not to exceed 90 days.

[RCW 74.15.120](#)

D. License Denial, Suspension, Revocation, Modification, Non-Renewal

1. An applicant may be denied a license, or any license issued under chapter 74.15 RCW and RCW 74.13.031 and it may be suspended, revoked, modified, or not renewed by the department upon proof that the applicant or licensee has failed or refused to comply with the provisions of chapter 74.15 RCW and RCW 74.13.031 or the licensing requirements adopted under the provisions of chapter 74.15 RCW and RCW 74.13.031; or that the conditions required for issuance of a license under chapter 74.15 RCW and RCW 74.13.031 have ceased to exist with respect to such licenses.
2. RCW 43.20A.205 governs notice of a license denial, revocation, suspension, or modification, and provides the right to an adjudicative proceeding.

[RCW 74.15.130](#)

3. In any adjudicative proceeding regarding the denial, modification, suspension, or revocation of a foster family home license, the department's decision shall be upheld if there is reasonable cause to believe that:
 - a. The applicant or licensee lacks the character, suitability, or competence to care for children placed in out-of-home care; however, no unfounded report of child abuse or neglect may be used to deny employment or a license;

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- b. The applicant or licensee has failed or refused to comply with any provision of chapter 74.15 RCW, the licensing chapter, RCW 74.13.031, authorizing child welfare services, or WAC 388-73; or
- c. The conditions required for issuance of a license under chapter 74.15 RCW and RCW 74.13.031 have ceased to exist with respect to such licenses.

[RCW 74.15.130](#)

- 4. In any adjudicative proceeding the denial, modification, suspension, or revocation of any license under chapter 74.15 RCW, other than a foster family home license, the department's decision shall be upheld if it is supported by a preponderance of the evidence.

[RCW 74.15.130](#)

- E. Specific licensing standards are found in chapters 388-148 WAC for foster homes, group care facilities, and child-placing agencies; 388-160 WAC for Overnight Youth Shelters; 388-145 WAC for Emergency Respite Centers; and 388-140 WAC for Group Receiving Centers.

8108 Foster Parents' Rights

Foster parents have the right to be free of coercion, discrimination, and reprisal in serving foster children, including the right to voice grievances about treatment furnished or not furnished to the foster child.

RCW 74.13

8110 Foster Parent Liaison

The department shall provide a foster parent liaison position in each of its regions through a private nonprofit organization. The foster parent liaison shall enhance the working relationship between department social workers and foster parents. The foster parent liaison shall provide expedited assistance for the unique needs and requirements posed by special needs foster children in out-of-home care.

[RCW 74.13.340](#)

8120 Child Care Support for Foster Parents

The department may provide child care for all foster parents who are required to attend department-sponsored meetings or training sessions. If the department does not provide such child care, the department, where feasible, shall conduct these activities in the foster parent's home or other location acceptable to the foster parent.

[RCW 74.13.315](#)

8130 First Aid/CPR and HIV/AIDS Training

All out-of-home providers licensed by the department shall receive training related to blood-borne pathogens, including prevention, transmission, infection control, treatment, testing, and confidentiality.

Laws of 2003

- A. Foster parents are required to complete first aid/CPR and HIV/AIDS training to become licensed.
 - 1. CA may waive the first aid/CPR training if the foster parent has current certification or has professional background in this area.
 - 2. CA may waive the HIV/AIDS training if the foster parent has completed HIV/AIDS training in the last five years or has professional or educational background in this area.
- B. The cost of this mandatory training is a financial barrier for some people who consider becoming a foster parent. CA shall provide all new and current foster parents with first aid/CPR and HIV/AIDS training.

Chapter 160, Laws of 1999

8140 Property Damage Reimbursement

- A. Within available funds and subject to such conditions and limitations as the department may establish, the department shall reimburse foster parents for property damaged or destroyed by foster children placed in their care.
- B. The department shall establish by rule in the Washington Administrative Code (WAC) a maximum amount that may be reimbursed for each occurrence.
 - 1. The department shall reimburse the foster parent for the replacement value of any property covered by this section.
 - 2. If the damaged or destroyed property is covered and reimbursed under an insurance policy, the department shall reimburse foster parents for the amount of the deductible associated with the insurance claim, but to the limit per occurrence as established by CA.

[RCW 74.13.335](#)

8200 RELATIVE CARETAKERS

Guidance governing the approval of relatives as caretakers is found in § chapter RCW 74.15 and Chapter 388-148 WAC.

8300 ADOPTIVE FAMILY HOMES

- A. CA is prohibited from denying to any person the opportunity to become an adoptive parent, on the basis of the race, color, or national origin of the adoptive parent, or the child involved.
- B. CA shall not deny or delay the placement of the child for adoption when an approved family is available outside the jurisdiction or office with responsibility for handling the case of the child.

42 USC 671a

- C. CA shall grant an opportunity for a fair hearing to an individual who alleges that the state has denied or delayed the placement of a child contrary to the requirements of paragraph B above.

42 USC 671a

8310 Pre-placement Report (Adoptive Home Study)

- A. A child shall not be placed with prospective adoptive parents until a pre-placement report has been filed with the court.
[RCW 26.33.180](#)
- B. The pre-placement report shall be a written document setting forth all relevant information relating to the fitness of the applicants as adoptive parents. The report shall include an assessment of the home environment, family life, health, facilities, and resources of the applicants.
- C. The report shall include a list of the sources of information, a criminal history check, and a recommendation as to the fitness of the applicants for adoption.
- D. The following issues must be discussed with the prospective adoptive parents and included in the home study:
 - 1. The concept of adoption as a lifelong developmental process and commitment.
 - 2. The potential for the child to have feelings of identity confusion and loss regarding separation from the birth parents.
 - 3. Disclosure of the fact of adoption to the child.
 - 4. The child's possible questions about birth parents and relatives.
 - 5. The relevance of the child's racial, ethnic, and cultural heritage.
- E. A certificate, which includes a statement of training and qualifications of the person preparing the report and signed under penalty of perjury, shall be attached.
- F. The completed pre-placement report shall be filed with the court and a copy delivered to the family. If more than one pre-placement report has been completed, all reports shall be filed with the court.

[RCW 26.33.190](#)

8320 Post-Placement Report

- A. This report, ordered by the court at the time the petition for adoption is filed, shall be in writing and contain all reasonably available information concerning the physical and mental condition of the child, home

environment, family life, health, facilities and resources of the petitioners. The report shall also include information of the child's cultural heritage, including membership in any Indian Tribe or band.

- B. A certificate, which includes a statement of training and qualifications of the person preparing the report and signed under penalty of perjury, shall be attached.

[RCW 26.33.200](#)

8330 Medical/Family and Social History Report

- A. Prior to placement, the prospective adoptive parents shall receive a complete medical report containing all known and reasonably available information concerning the mental, physical, health, educational, and sensory handicaps of the child.
- B. The report shall also include a chronological history of the circumstances surrounding the adoptive placement and any known and reasonably available psychiatric reports, psychological reports, court reports pertaining to dependency or custody, or school reports.
- C. The report shall not reveal the identity of the birth parents but shall include any known and reasonably available non-identifying mental or physical health history of the birth family that will assist in maximizing the developmental potential of the child.

[RCW 26.33.350](#) and [RCW 26.33.380](#)

- D. See chapter 5000, section 5840, for additional requirements relating to provision of documents and records to adoptive parent

8340 Petition for Adoption

An adoption proceeding is initiated by filing with the court a petition for adoption. The petition shall be filed by the prospective adoptive parent.

[RCW 26.33.150](#)

8350 Open Adoption Agreement

- A. Written open adoption agreements between the child adoptee, the adoptive parents, and the birth parents may be entered into only if the agreement is in the child adoptee's best interests.
- B. An open adoption agreement must be approved in writing by the prospective adoptive parents, birth parents prior to their rights being terminated, the department or a licensed child-placing agency, and the child's *guardian ad litem* or attorney before the court may enter a proposed order.

[RCW 26.33.295](#)

8360 Information on Adoption-Related Services

All persons adopting a child through the department shall receive written information on adoption-related services available both through the department and through other social service providers. Information shall be included on Adoption Support, Family Reconciliation Services, archived records, mental health, and developmental disabilities.

[RCW 26.33.390](#)

8400 NON-CUSTODIAL PARENTS

There is no statutory requirement to complete a criminal history background check on parents. Refer to the *CA Practices and Procedures Guide* for steps to approve non-custodial parents for placement.

8500 IN-HOME CHILD CARE

There is no statutory requirement related to In-Home Child Care providers. Refer to the *CA Practices and Procedures Guide* for steps related to In-Home Child Care providers.

8600 CHILD PLACING AGENCIES

The policy for licensing of Child Placing Agencies (CPA) is found in 388-148 WAC.

8700 INDIVIDUALS ENGAGED BY CHILDREN'S ADMINISTRATION

Individuals engaged by Children's Administration include, but are not necessarily limited to, paid employees, contractors, volunteers, student interns, and work study students. When such persons are directly responsible for care, supervision, or treatment of children, Children's Administration must complete a Background Check as delineated in 74.15.030 and 43.43.832 RCW and Chapter 388-06 WAC.

8800 HOME STUDIES FOR PLACEMENT - INTERSTATE COMPACT

Individuals being assessed to receive a dependent child from another state under Interstate Compact (ICPC) come under the policy for the type of care (2100 - 2400 above). In addition, home studies must be completed on custodial parents who are receiving a dependent child from another state, provided the sending state intends to continue dependency and requests supervision and services to the child and parent. Finally, all placements into or out of the state for residential care or adoption must conform with the requirements for ICPC.

RCW 26.34.010

While supportive to DCFS client families, Child Day Care Licensing is administered by the Division of Child Care and Early Learning, MAA.

81000 FOSTER AND ADOPTIVE HOME RECRUITMENT

The department shall recruit an adequate number of prospective adoptive and foster homes, both regular and specialized (i. e., homes for children of ethnic minority, including Indian homes for Indian children, sibling groups, handicapped and emotionally disturbed teens, pregnant, and parenting teens).

[RCW 74.13.031](#)